

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

BISOUS BISOUS LLC,

Plaintiff,

v.

THE CLE GROUP, LLC,  
BISOU UPTOWN MANAGER, LLC, and  
JOHN DOES 1–10,

Defendants.

Case No. 3:21-cv-01614-B

**DECLARATION OF MATTHEW MEYER**

1. My name is Matthew Meyer. I am over 18 years of age, of sound mind, have not been convicted of a felony, and capable of making this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

2. I am a co-founder and co-owner of Bisous Bisous LLC (“BISOUS BISOUS”).

3. In July, employees at BISOUS BISOUS began to keep a daily diary logging the date/time and context of misdirected calls that were intended for Bisou Dallas, now known as “Cle Supper Club.”

4. Between August 9 and August 25, 2021, BISOUS BISOUS received 27 calls intended for Bisou Dallas. These calls included attempts to make reservation—which BISOUS BISOUS does not take—including a request to adjust an existing reservation, questions about dinner and brunch, and a question about a gift card that was not processing for the BISOU. Below is a list of the date/time of each call with a brief description:

| <b>Date/Time</b>   | <b>Description</b>  |
|--------------------|---|
| 08/09/2021 - 16:33 | Caller asked if we were still planning to stay open late tonight. Caller was told we closed at 5 PM and that is when the caller talked about the restaurant.    |
| 08/10/2021 - 12:23 | Call for reservation  |
| 08/13/2021 - 13:40 | Call for reservation  |
| 08/13/2021 - 15:28 | Caller asked if we were still hiring and said they already had an interview scheduled. [BISOUS BISOUS did not have an interview scheduled for this individual.] |
| 08/14/2021 - 10:06 | Call for reservation  |
| 08/14/2021 - 12:00 | Call for 10-person reservation  |
| 08/15/2021 - 18:49 | Call for reservation  |
| 08/17/2021 - 11:30 | Call asking about dinner hours  |
| 08/17/2021 - 12:02 | Call for reservation  |
| 08/17/2021 - 14:25 | Call for reservation  |
| 08/18/2021         | Caller had an interview at Bisou  |
| 08/20/2021         | Call for reservation  |
| 08/20/2021         | Call to adjust reservation  |
| 08/20/2021         | Call for reservation  |
| 08/20/2021         | Call for reservation for 6 people   |
| 08/20/2021         | Call for Sunday reservation   |
| 08/21/2021 - 13:52 | Call for lunch reservation  |
| 08/21/2021 - 15:01 | Call for reservation  |
| 08/21/2021 - 15:22 | Call for reservation  |
| 08/21/2021 - 15:32 | Call about gift card not processing for Bisou restaurant  |
| 08/21/2021 - 16:00 | Call for reservation  |
| 08/22/2021 - 12:05 | Call to ask if restaurant was kid friendly  |
| 08/22/2021 - 13:44 | Call to ask about brunch  |
| 08/22/2021 - 14:38 | Call for reservation  |
| 08/23/2021 - 13:16 | Call asking "is this the restaurant"  |
| 08/24/2021 - 16:22 | Call for 6-person reservation   |

5. On August 15, 2021, a caller left a voicemail at BISOUS BISOUS that we recorded. In attempting to make a dinner reservation, the caller said the following: "I thought I was calling the restaurant on McKinney Ave., I hope I am, would like to have reservations for four, Thursday at five...for Restaurant Week. I think I'm calling the right one, but we'll see."

6. On August 27, 2021, a caller left a voicemail at BISOUS BISOUS that we recorded. In attempting to make a dinner reservation, the caller said the following: "Yes. I'm calling to make

a reservation for two people tomorrow. If you can please give me a call back at [redacted]. The last name is Woods. Again, I need a reservation for Thursday, [redacted]. Thank you.”

7. On August 27, 2021, a caller left a voicemail at BISOUS BISOUS that we recorded. In attempting to make a dinner reservation, the caller said the following: “My name's (inaudible). I'm hoping to get a table tonight for four people at 9 P.M. My number is [redacted]. Somebody can call me and let me know if that can happen. I appreciate it. Thank you.”

8. In addition to the misdirected calls, individuals have continued to mistakenly visit BISOUS BISOUS looking for Bisou Dallas. On August 25, 2021, a wine distributor visited BISOUS BISOUS asking if we serve wine, which we do not. On August 26, 2021, a health inspector visited BISOUS BISOUS. Typically, our health inspection occurs once a year, and our last inspection was in March 2021. After a brief conversation to clear up the confusion, the health inspector informed us that he was seeking “Bisou Uptown,” not BISOUS BISOUS.

9. On August 23, 2021, I called Cle Supper Club. In answering the phone, the employee who picked up said, “Thanks for calling Bisou Dallas.”

10. I declare under penalty of perjury that the foregoing is true and correct.

Date: August 27, 2021

/s/ Matthew Meyer  
Matthew Meyer